

United States District Court
for the Northern District of Texas
Fort Worth Division

United States of America,
Plaintiff,

FCI EL Reno
Place of Confinement

v.

27290-077
Federal Register Number

JOE ANGELO SOTELO JR.
Defendant

4:95-CR-0005-P
Criminal Case Number

Defendant's Motion for Reduction of Sentence pursuant to 18 U.S.C. § 3582(c)(2)
and Amendment 821 to the Federal Sentencing Guidelines:

Based on U.S.S.G. § 4C1.1 Adjustment for Zero-Point
Offenders (for those assessed zero criminal history points at
sentencing)

✓

Based on U.S.S.G. § 4A1.1(d) & (e) Criminal History Category
(for those who received "status" points for being under a
criminal justice sentence at the time of the offense)

Instructions - Read Carefully

1. The court has received your request regarding a sentence reduction under Amendment 821 to the Sentencing Guidelines (effective November 1, 2023). You must complete this form motion and return it to the appropriate divisional office listed in instruction 3, below, to enable the court to consider your request. This form should only be used when requesting a sentence reduction pursuant to Amendment 821 to the Sentencing Guidelines and for no other purpose. Amendment 821 provides for reduction in offense level for certain offenders with zero criminal history points (U.S.S.G. § 4C1.1) and reduces or eliminates status points for certain offenders who previously received status points pursuant to U.S.S.G. § 4A1.1(d). Amendment 825 authorizes retroactive reductions effective February 1, 2024 or later. A copy of your original request is included with this form for your reference.
2. This motion must be legibly handwritten or typewritten. All questions must be briefly answered in the proper space on the form.

3. Completed motions must be mailed to the Clerk of the United States District Court for the Northern District of Texas at the appropriate divisional office below:

Abilene Division
341 Pine Street
Room 2008
Abilene, TX 79601

Amarillo Division
205 SE 5th Avenue
Room 133
Amarillo, TX 79101

Dallas Division
1100 Commerce Street
Room 1452
Dallas, TX 75242

Fort Worth Division
501 W. 10th Street
Room 310
Fort Worth, TX 76102

Lubbock Division
1205 Texas Avenue
Room 209
Lubbock, TX 79401

San Angelo Division
33 East Twohig Avenue
Suite 202
San Angelo, TX 76903

Wichita Falls Division
501 W. 10th Street
Room 310
Fort Worth, TX 76102

4. Questionnaires that do not follow these instructions will be returned, and the mistake will be identified.

Questionnaire

1. Name and location of court that entered the sentence that you are asking to reduce:

Fort Worth Division

2. Date(s) of sentence and judgment of conviction:

August 17th 1995

3. Are you currently in prison for this sentence?

✓ Yes No

4. If so, when is your projected date of release? life

5. Are you currently on supervised release? Yes ✓ No

6. Are you currently in prison because you violated your supervised release for the conviction and sentence identified in response to Questions No. 1 and 2?

 Yes ✓ No

7. Is your case currently on appeal? _____ Yes ☒ No

8. Offense(s) for which you were convicted (all counts):

Conspiracy to Distribute and Possessing
with intent to Distribute Cocaine
and Aiding and Abetting

9. In calculating the applicable sentencing guideline range, were you assessed any criminal history points (U.S.S.G. § 4A1.1)?

☒ Yes _____ No _____ Not Sure

9a. If the answer to Question 9 is "No," check the box for all statements that apply to your conviction and sentence:

- ☐ I received criminal history points from Chapter Four, Part A;
- ☐ I received an adjustment under § 3A1.4 (Terrorism);
- ☐ I used violence or credible threats of violence in connection with the offense;
- ☐ the offense resulted in death or serious bodily injury;
- ☐ the instant offense of conviction is a sex offense;
- ☐ I personally caused substantial financial hardship;
- ☐ I possessed, received, purchased, transported, transferred, sold, or otherwise disposed of a firearm or other dangerous weapon (or induced another participant to do so) in connection with the offense;
- ☐ the instant offense of conviction is covered by § 2H1.1 (Offenses Involving Individual Rights);
- ☐ I received an adjustment under § 3A1.1 (Hate Crime Motivation or Vulnerable Victim) or § 3A1.5 (Serious Human Rights Offense);
- ☐ I received an adjustment under § 3B1.1 (Aggravating Role) or was engaged in a continuing criminal enterprise, as defined in 21 U.S.C. § 848; or
- ☐ none of the statements above applies to my case.

10. If the answer to Question 9 is "Yes," were you assessed criminal history points for being "under any criminal justice sentence, including probation, parole, supervised release, imprisonment, work release, or escape status" at the time of the offense (a.k.a. "status points") (U.S.S.G. § 4A1.1(d))?

☒ Yes ☐ No ☐ Not Sure

11. If the answer to Question 10 is "Yes," how many criminal history points were assessed in total, including the "status points"?

17 Criminal History Points

12. If you were sentenced on or after April 5, 2023, did the Court provide the benefit of the "status points" or "zero-point offenders" amended guidelines at your sentencing hearing prior to the effective date?

☐ Yes ☒ No ☐ Not Sure

13. List any good conduct that occurred after your original sentencing hearing or any other mitigating circumstances that you would like the Court to be aware of in deciding whether you should receive a sentence reduction (for example, participating in a drug treatment program, or completing your GED or another degree).

1 ACE Lrsch 1 V.T. Sew 456
INT Law G.E.D.
ACE Lrsch 2
INT Law 2
EFF Comm
PER Succes
Chg Comp
V.T. Plumbing
V.T. Electric

For the reasons stated in this motion, I move the court for a reduction in sentence under 18 U.S.C. § 3582(c)(2) and Amendment 821 to the Federal Sentencing Guidelines. I declare under penalty of perjury that the facts stated in this motion are true and correct.

Respectfully submitted this

Joe Angelo Sotelo Feb 6, 2024

Signature of Defendant

Joe Angelo Sotelo Jr.

Printed Name

JOE ANGELO SOTELO JR.

BOP No. 27290-077

F.C.I. El Reno

Federal Correctional Institution (if applicable)

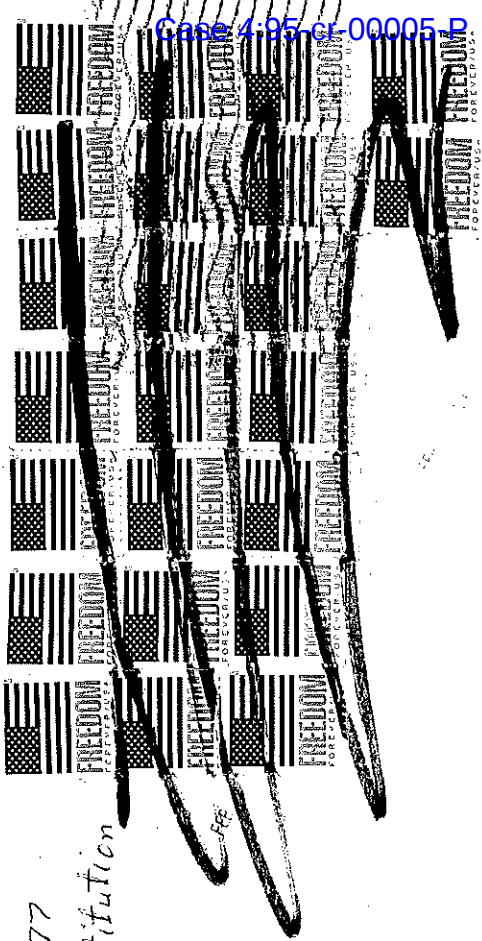
P.O. Box 1500

Address

El Reno, OK. 73036

City, State & Zip Code

Mr Joe Angelo Sotelo 27290-077
Federal Correctional Institution
P.O. Box 1500
El Reno, OK 73036



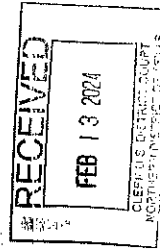
7017 3360 0000 7126 4791



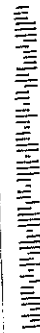
CERTIFIED MAIL

27290-077

Clerk Court
501 W. Tenth St. Room 310
U.S. District Court
FORT Worth, TX 76102
United States



Feb. 6, 2024
Mail-cut



FCI El Reno
PO Box 1000
El Reno, OK 73036
216124

The enclosed letter was processed through special mailing procedures for forwarding to you. The letter has neither been opened nor inspected. If the writer raises a question or problem over which this facility has jurisdiction, you may wish to return the material for further information or clarification.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE